

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JEFFREY TALAMANTES,

Plaintiff,

v.

MERCED COUNTY JAIL, et al.,

Defendants.

1:20-cv-01643-GSA (PC)

ORDER GRANTING APPLICATION TO
PROCEED IN FORMA PAUPERIS
(Document# 2)

and

ORDER DIRECTING PAYMENT
OF INMATE FILING FEE BY MERCED
COUNTY SHERIFF

Plaintiff is a Merced County Jail inmate proceeding *pro se* pursuant to 42 U.S.C. § 1983 and has requested leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Plaintiff has made the showing required by § 1915(a) and accordingly, the request to proceed *in forma pauperis* will be granted. Plaintiff is obligated to pay the statutory filing fee of \$350.00 for this action. 28 U.S.C. § 1915(b)(1). Plaintiff is obligated to make monthly payments in the amount of twenty percent of the preceding month's income credited to plaintiff's trust account. The Merced County Jail is required to send to the Clerk of the Court payments from plaintiff's account each time the amount in the account exceeds \$10.00, until the statutory filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

1 In accordance with the above and good cause appearing therefore, IT IS HEREBY
2 ORDERED that:

3
4 1. Plaintiff's application to proceed *in forma pauperis* is GRANTED;

5 **2. The Merced County Sheriff or his/her designee shall collect payments from**
6 **plaintiff's Merced County Jail trust account in an amount equal to twenty per cent**
7 **(20%) of the preceding month's income credited to the inmate's trust account and**
8 **shall forward those payments to the Clerk of the Court each time the amount in the**
9 **account exceeds \$10.00, in accordance with 28 U.S.C. § 1915(b)(2), until a total of**
10 **\$350.00 has been collected and forwarded to the Clerk of the Court. The payments**
11 **shall be clearly identified by the name and number assigned to this action.**

12 3. The Clerk of the Court is directed to serve a copy of this order and a copy of
13 plaintiff's *in forma pauperis* application on the Merced County Sheriff, via the court's
14 electronic case filing system (CM/ECF).

15 4. The Clerk of the Court is directed to serve a copy of this order on the Financial
16 Department, U.S. District Court, Eastern District of California, Sacramento Division.

17 5. Within sixty (60) days of the date of service of this order, plaintiff shall submit a
18 certified copy of his jail trust account statement for the six-month period immediately
19 preceding the filing of the complaint, if plaintiff has not already done so.

20
21 IT IS SO ORDERED.

22 Dated: **December 1, 2020**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE